## UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/161,073 | 09/25/1998 | PI-WEI CHIN | SA9-98-050 | 7136 |

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| EXAMINER |
|---|
| BASHORE, WILLIAM L |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2176 | |

DATE MAILED: 10/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C  (Rev. 07-01)

|  | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 09/161,073 | CHIN ET AL. |
|  | Examiner | Art Unit |
|  | William L. Bashore | 2176 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _22 July 2002_ .

2a)☒ This action is **FINAL**.          2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _3-16 and 18-22_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _3-16 and 18-22_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

     If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All  b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____ .

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

     a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1)☐ Notice of References Cited (PTO-892)         4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5)☐ Notice of Informal Patent Application (PTO-152)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6)☐ Other: .

## DETAILED ACTION

1.     This action is responsive to communications: RCE and amendment, both filed 3/8/2002 to the

original application filed **9/25/1998**. IDS filed 9/25/1998.

2.     The rejection of claims 3, 5-6, 21-22 under 35 U.S.C. 103(a) as being unpatentable

over Motoyama, and Fukumochi has been withdrawn as necessitated by amendment.

3.     Claims 11, 16, 18-20 remain rejected under 35 U.S.C. 103(a) as being unpatentable

over Motoyama, and Fukumochi.

4.     The rejection of claims 4, 7-8 under 35 U.S.C. 103(a) as being unpatentable over Motoyama,

Fukumochi, and Levy has been withdrawn as necessitated by amendment.

5.     Claims 14-15 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama,

Fukumochi, and Levy.

6.     Claims 3-16, 18-22 are pending. Claims 3, 11, 21, are independent claims.


*Claim Rejections - 35 USC § 112*

7.     **Claims 3-16, 18-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite**

**for failing to particularly point out and distinctly claim the subject matter which applicant regards**

**as the invention.**


8.     **In regard to independent claims 3, 11, 21,** the word *"unambiguously"* (as amended) in each of

said claims is vague and indefinite. This is a subjective word, and it is unclear how this is to be interpreted

within the context of Applicant's claim limitations.

9.      **In regard to dependent claims 4-10, 12-16, 18-22**, claims 4-10, 12-16, 18-22 are rejected for

fully incorporating the deficiencies of their respective base claims.

*Examiner's Note*

10.     The following set of rejections are based upon a possible interpretation of unambiguously

replacing variable, as variables that are actually replaced.

*Claim Rejections - 35 USC § 103*

11.     **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness**

**rejections set forth in this Office action:**

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of
> this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as
> a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said
> subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12.     **Claims 3, 5-6, 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

**Motoyama, U.S. Patent No. 6,208,956 issued March 2001.**

        **In regard to Independent claim 3,** Motoyama teaches a HTML document page translated using

a resource dictionary database (file) containing translated words and phrases for replacing variables

(Motoyama column 4 lines 14-23, column 5 lines 41-46, column 6 lines 41-55; compare with claim 3  *"a*

*plurality of resource file containing data for replacing said replacement variable,"*).

        Motoyama teaches dictionary resource files indicative of various languages for web page variable

replacement (Motoyama column 6 lines 20-24; compare with claim 3 *"said replacement variable being*

*selectively replaced by data from a selected one of said resource files, each of the plurality....selected one*

*of said resource files.*", and *"predefined passage of text"*).

Motoyama does not specifically teach said page as a template. However, this limitation would

have been obvious to one of ordinary skill in the art at the time of the invention, in view of Motoyama,

because Motoyama's teaching of HTML, with its known hierarchical tag structure, clearly suggests a

template structure, providing Motoyama with the organizational advantage a hierarchical page provides

(Motoyama column 4 lines 14-23; compare with claim 3 *"a markup-language encoded template"*).

**In regard to dependent claim 5,** Motoyama does not specifically teach a resource file as a

"HTML" resource bundle. However, since Applicant defines said bundle as similar to a Java resource

bundle, and Java resource bundles are a known Java class, this limitation would have been obvious to one

of ordinary skill in the art at the time of the invention, in view of Motoyama, because Motoyama's related

dictionary data files (indicative of various languages) used for the translation of various portions of a

HTML page suggests a resource bundle environment, providing the advantage of files categorized by

language (Motoyama column 6 lines 20-30; compare with claim 5).

**In regard to dependent claim 6,** claim 6 is rejected using the Examiner's argument and rationale

as set forth in the rejection of claim 5, above.

**In regard to independent claim 21,** Motoyama teaches a HTML document translated using a

resource dictionary database (file) containing translated words and phrases for replacing variables

(Motoyama column 4 lines 14-23, column 5 lines 41-46, column 6 lines 41-55; compare with claim 21 *"a*

*markup-language encoded....having a replacement variable within"*, and *"predefined passage of text"*).

Motoyama does not specifically teach said HTML page as a template. However, this limitation

would have been obvious to one of ordinary skill in the art at the time of the invention, in view of

Motoyama, because Motoyama's teaching of HTML, with its known hierarchical tag structure, clearly

suggests a template structure, providing Motoyama with the organizational advantage a hierarchical page

provides (Motoyama column 4 lines 14-23; compare with claim 21 "*a markup-language encoded*

*template*").

Motoyama teaches a HTML document page translated using a resource dictionary database (file)

containing translated words and phrases for replacing variables (Motoyama column 4 lines 14-23,

column 5 lines 41-46, column 6 lines 41-55; compare with claim 21 "*a plurality of resource file*

*containing data for replacing said replacement variable,*").

Motoyama teaches dictionary resource files indicative of various languages for web page variable

replacement (Motoyama column 6 lines 20-24; compare with claim 21 "*said replacement variable being*

*selectively replaced by data from a selected one of said resource files, each of the plurality....selected one*

*of said resource files.*").

**In regard to dependent claim 22,** Motoyama does not specifically teach a resource file as a

HTML "resource bundle". However, since Applicant defines said bundle as similar to a Java resource

bundle, and Java resource bundles are a known Java class, this limitation would have been obvious to

one of ordinary skill in the art at the time of the invention, in view of Motoyama, because Motoyama's

related dictionary data files (indicative of various languages) used for the translation of various portions

of a HTML page suggests a resource bundle environment, providing the advantage of files categorized by

language (Motoyama column 6 lines 20-30; compare with claim 22).

12.     **Claims 11, 16, 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

**Motoyama, U.S. Patent No. 6,208,956 issued March 2001, in view of Fukumochi et al. (hereinafter**

**Fukumochi), U.S. Patent No. 5,644,774 issued July 1997.**

**In regard to independent claim 11**, Motoyama teaches a HTML document translated using resource dictionary databases (files) containing various translated words and phrases for replacing variables (Motoyama column 4 lines 14-23, column 5 lines 41-46, column 6 lines 41-55; compare with claim 11 *"providing a plurality of data files....corresponding to said variable"*, and *"predefined passage of text"*).

- Motoyama does not specifically teach resource files including idiomatically-correct predefined text passages. However, Fukumochi teaches a translation system using a dictionary containing idioms of a language as applied to translation from one language to another (Fukumochi Abstract, column 4 lines 64-67 to column 5 lines 1-11; compare with claim 11 *"an idiomatically-correct"*). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the dictionary idioms of Fukumochi to the resource files of Motoyama, providing Motoyama the advantage of idioms within its resource files, for accurately translating specialized phrases from one language to another.

- Motoyama does not specifically teach said HTML page as a template at a server. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Motoyama, because the teaching of HTML, with its known hierarchical structure, clearly suggests a template structure, to which HTML pages must be uploaded and stored on a server for publication, providing Motoyama with the organizational advantage a hierarchical page provides (Motoyama column 4 lines 14-23; compare with claim 11 "providing *an HTML template to a server, said HTML template including at least one variable*").

- Motoyama teaches selection of a dictionary file used to construct a page using translated words from said dictionary file (Motoyama column 6 lines 20-25; compare with claim 11 *"selecting one of said plurality of data files"*, and *"constructing an HTML encoded....replace said variable"*).

**In regard to dependent claim 16**, claim 16 is rejected using the Examiner's argument and rationale as set forth in the rejection of claim 11, above.

**In regard to dependent claim 18**, Motoyama teaches dictionary translation database files, which teaches key/value combinations for translation (Motoyama column 6 lines 20-25; compare with claim 18).

**In regard to dependent claims 19, 20**, the use of curly brackets, commas, and pound signs within various languages in known in the web publishing art.

11.    **Claims 4, 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama, U.S. Patent No. 6,208,956 issued March 2001, in view of Levy, U.S. Patent No. 5,944,790 issued August 1999.**

**In regard to dependent claim 4**, Motoyama does not specifically teach a language code. However, Levy teaches a country code, which is indicative of a particular language (Levy Abstract; compare with claim 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Levy to Motoyama, because of Levy's taught advantage of country codes, providing Motoyama with a way to process a particular language.

**In regard to dependent claim 7**, Motoyama does not specifically teach server side processing. However, Levy teaches a server accepting a web request along with a country code for processing of said web page (Levy column 2 lines 32-46; compare with claim 7). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Levy to Motoyama, because of Levy's taught advantage of server side processing, providing Motoyama with a way to process a particular language freeing up client resources.

**In regard to dependent claim 8**, claim 8 is rejected using the Examiner's argument and rationale as set forth in the rejection of claim 7, above.

11.     **Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama, U.S. Patent No. 6,208,956 issued March 2001, in view of Fukumochi, U.S. Patent No. 5,644,774 issued July 1997, and further in view of Levy, U.S. Patent No. 5,944,790 issued August 1999.**

**In regard to dependent claim 14**, Motoyama does not specifically teach a language code. However, Levy teaches a country code, which is indicative of a particular language (Levy Abstract; compare with claim 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Levy to Motoyama, because of Levy's taught advantage of country codes, providing Motoyama with a way to process a particular language.

Motoyama does not specifically teach server side processing. However, Levy teaches a server accepting a web request along with a country code for processing of said web page (Levy column 2 lines 32-46; compare with claim 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Levy to Motoyama, because of Levy's taught advantage of server side processing, providing Motoyama with a way to process a particular language freeing up client resources.

**In regard to dependent claim 15**, claim 15 is rejected using the Examiner's argument and rationale as set forth in the rejection of claim 14, above.

12.     **Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama, U.S. Patent No. 6,208,956 issued March 2001, in view of Cliff Berg (hereinafter Berg), How do I Write**

an International Application?, Dr. Dobb's Journal, July 1997, downloaded web site <url: http://www.ddj.com/articles/1997/9707/97071/97071.htm?topic=java>, pp.1-5, including text equivalent pp. 6-9, (downloaded on 5/17/2001).

**In regard to dependent claim 9**, the use of Java code within HTML is known in the web publishing art.

Motoyama does not specifically teach a JAR file containing a Java ResourceBundle. However, Berg teaches Java in association with a Hot Java browser, incorporating a JAR file and a Java ResourceBundle to be eventually run as an applet (Berg p.6 at numbers 5, 6, also p.7 at number 8; compare with claim 9). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Berg to Motoyama, because of Berg's taught advantage of JAR files and resource bundles, providing Motoyama with a way to utilize the advantages of said files for its dictionaries.

**In regard to dependent claim 10**, claim 10 reflects substantially similar subject matter as claimed in claims 3 and 9, and is rejected along the same rationale.

**In regard to dependent claim 12, 13**, claims 12, 13 reflect substantially similar subject matter as claimed in claims 9 and 10, and are rejected along the same rationale.

12.    **Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama, U.S. Patent No. 6,208,956 issued March 2001, in view of Fukumochi, U.S. Patent No. 5,644,774 issued July 1997, and further in view of Cliff Berg (hereinafter Berg), How do I Write an International Application?, Dr. Dobb's Journal, July 1997, downloaded web site <url:**

http://www.ddj.com/articles/1997/9707/97071/97071.htm?topic=java>, pp.1-5, including text

equivalent pp. 6-9, (downloaded on 5/17/2001).


**In regard to dependent claim 12**, the use of Java code within HTML is known in the web

publishing art.

Motoyama does not specifically teach a JAR file containing a Java ResourceBundle. However,

Berg teaches Java in association with a Hot Java browser, incorporating a JAR file and a Java

ResourceBundle to be eventually run as an applet (Berg p.6 at numbers 5, 6, also p.7 at number 8;

compare with claim 12). It would have been obvious to one of ordinary skill in the art at the time of the

invention to apply Berg to Motoyama, because of Berg's taught advantage of JAR files and resource

bundles, providing Motoyama with a way to utilize the advantages of said files for its dictionaries.


**In regard to dependent claim 13**, claim 10 reflects substantially similar subject matter as

claimed in claims 11 and 12, and is rejected along the same rationale.


### *Response to Arguments*

13.      Applicant's arguments filed 7/22/2002 have been fully and carefully considered but they are not

persuasive.

Applicant argues on pages 3-4 of the amendment that Applicant's claims are drawn towards a

user interface comprising a template for variable replacement, from resource files containing pre-chosen

text data for that purpose, which is different then the teachings of the cited art. The examiner notes that

Motoyama teaches translating portions of a hypertext document into another language (Motoyama Title

and Abstract, also column 5 lines 60-67). The examiner notes that a document template can be interpreted

as a predesigned document containing formatting, and in many cases, generic text (Office Action -paper

9) reference Microsoft - paragraph 14), and SGML/HTML documents contain hierarchically based tag

pairs for defining the structure of a document. As shown in Motoyama Figure 3, a side-by-side

comparison of a translated document can be presented to a user. Since the layout of both documents are

the same, the set of hypertext tag types and their respective placements within the source code is also the

same, therefore the tag structure of this document is at least suggestive of a "template". The original text

and the translated text are "poured" into the various tagged sections accordingly, so as to preserve layout

structure. Since a typical hypertext document contains a combination of tags and data (typically text), and

since Applicant claims "a markup-language encoded template having a replacement variable within",

both the tags and the poured text can be interpreted as replacement (or translatable) variables, since said

tags/data can be edited via typical word processing editors (see also Motoyama column 5 lines 40-46,

especially line 41; "It is not critical that every tag or data be translated....").

Applicant argues on page 4 of the amendment that Motoyama teaches multiple words/phrases for

"translation", verses mere single variables for substitution. The examiner notes that Motoyama (as

explained above), teaches a side-by-side comparison of translated documents. The examiner notes that the

text data (variables) of an initial document are replaced by translated data in another language. Applicant

argues that Motoyama involves possible ambiguity in data translation. However, it is unclear in the

recited claims whether "unambiguously replacing variables" refers to the meaning asserted by Applicant

on page 4 of the amendment (other possible interpretations exist). It is further noted that the invention, as

presently claimed, does not preclude the examiner from the use of any intelligent data substitution that

Motoyama teaches. Motoyama ultimately teaches replacing data/variables of one language with

data/variables of another language, regardless of the number of intermediate steps involved in the process.

Although dictionaries typically contain single or multiple definitions of a word, Motoyama ultimately

chooses one definition (assuming Motoyama's dictionaries contain possible multiple definitions per

word), and gives the user the option of changing the result if not correct (Motoyama Figure 9B item 258).

Applicant argues on page 5 of the amendment that the rationalizations of the cited art combinations are strained. The examiner notes that Fukumochi's idiom processing machine translation methods are applied to enhance Motoyama's intelligent translation for increased translation accuracy.

Applicant argues on page 5 of the amendment that Levy does not teach the claimed limitations. The examiner notes that Levy teaches a country code (indicative of a language), which teaches the claimed limitation, and is applied to Motoyama.

## *Conclusion*

14.    **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

15.    Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Bashore whose telephone number is **(703) 308-5807**. The examiner can normally be reached on Monday through Friday from 11:30 AM to 8:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on **(703) 308-5186.**

Any inquiry of a general nature or relating to the status of this application should be directed to

the Group receptionist whose telephone number is  **(703) 305-3900.**

16.     **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

**or faxed to:**

**(703) 746-7239**  (for formal communications intended for entry)
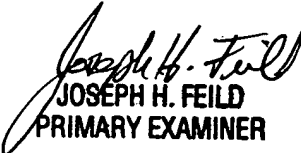**or:**
**(703) 746-7240**  (for informal or draft communications, please label
"PROPOSED" or "DRAFT")
**or:**
**(703) 746-7238** (for after-final communications)

**Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor  (Receptionist).**

William L. Bashore
10/19/2002

JOSEPH H. FEILD
PRIMARY EXAMINER